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WHY IS IT SO HARD TO DEVELOP RELATIONSHIPS IN PUBLIC PROCUREMENT? THE IMPACT OF EARLY INTERACTION

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ABSTRACT

Public procurement research emphasizes the benefits of interacting with potential suppliers early in the public procurement process; that is, in the phase before the tendering. However, how such interaction influences relationships between public and private actors has remained an unexplored area regardless of the obligation of public buyer to regularly invite suppliers to tender that tends to create relationships that follow a trail of active and less active phases. In this study, we explore *how early interaction influences the activation and reactivation of buyer-supplier relationships in public procurement context*. By employing a qualitative case study design, we investigate the development of four buyer-supplier relationships in public procurement, in which the suppliers were involved in the pre-tender phase activities organized by the public buyer. The preliminary findings indicate both hindering and promoting impact of the pre-tender phase interaction on the activation and reactivation of relationships. However, intensive interaction in the beginning of the relationship activation/reactivation with the *selected supplier* was regarded as more important than interaction in the pre-tender phase, during which the supplier was merely a *potential supplier*. Therefore, we conclude that early interaction in public procurement context remains problematic from the relationship development perspective, because the pre-tender phase tends to be too short and interaction too superficial to create a trusting atmosphere that would assist in activating or reactivating, and thereby enhancing relationship development.

Keywords: early interaction, public-private relationship, relationship development, public procurement

INTRODUCTION

The intricacy and riskiness of public procurement is changing the way of how public and private actors interact (Lawther & Martin 2005). Accordingly, although the interaction between public and private actors is more restricted than private market negotiations, the interactivity in public procurement has increased as public actors are increasingly creating new arenas for dialogue and interaction prior to the beginning of tender phase (Alhola, Salo, Antikainen & Berg 2017, Torvatn & de Boer 2017). For example, early interaction is recommended by scholars and practitioners in innovation-related procurements, such as public-private partnership (PPP) and pre-commercial procurement (PCP) models. We argue however that early interaction and knowledge sharing can

contribute to public procurement more broadly by influencing the development of buyer-supplier relationships in public procurement. Early interaction is regarded critical in determining contract specifications (Holma, Vesalainen, Söderman & Sammalmaa 2020) and in reaching of a shared understanding and creating mutual trust (Koppenjan, 2005).

However, the obligation of public buyer to regularly invite suppliers to tender tends to create relationships that include both active and less active phases (Torvatn & de Boer 2017), and thus such relationships may not develop in a linear manner. Instead, these relationships need frequently activation and reactivation in order to implement public procurements. Therefore, as Torvatn and de Boer (2017) suggest that more research is required to understand the development of public-private relationships with active and less active phases, we aim to answer the following research question: *How does early interaction influence the activation and reactivation of buyer-supplier relationships in public procurement context?* Early interaction refers to pre-tender phase interaction, which takes place before the tendering.

Our qualitative case study reports the development of four buyer-supplier relationships in two Finnish towns' tendering, in which the suppliers were involved in the pre-tender interaction. The preliminary findings indicate both hindering and promoting impact of the pre-tender phase interaction on the activation and reactivation of relationships. However, intensive interaction in the beginning of the relationship activation/reactivation with the *selected supplier* was regarded as more important than interaction in the pre-tender phase, during which the supplier was merely a *potential supplier*. Therefore, we conclude that early interaction in public procurement context remains problematic from the relationship development perspective, because the pre-tender phase tends to be too short and interaction too superficial to create a trusting atmosphere that would assist in activating or re-activating, and thereby enhancing relationship development.

THEORETICAL FRAMEWORK

Much of relationship-related literature describes relationship development by frameworks (e.g. Dwyer, Schurr & Oh 1987, Ford 1980, Wilson 1995), in which relationships develop through incremental and irreversible stages from initiation to maintaining the relationship (Batonda & Perry 2003). In these frameworks, the change in the relationship is presumed as prescribed and linear (Batonda & Perry 2003, Ojansivu & Hermes 2019). In reality, however, relationships are more dynamic as they must adapt into the environment, in which they are embedded and bounded by (Polonsky, Gupta, Beldona & Hyman 2010). For example, procurement principles guide the length of relationships between public and private actors (Ojansivu and Hermes, 2019; Keränen, 2017). That is, the formal regulations and principles of equivalent treatment and transparency underlying public procurement encourage public actors to rely on tendering, in which the public buyer determines specific requirements and manages merely suppliers that meet them. The obligation to regularly invite suppliers to tender thus creates relationships that follow a trail that include both active and less active phases (Torvatn & de Boer 2017).

In contrary to the linear models, some relationships are more transactional, and others have inactive periods, which can be re-activated after these 'dormant' (Batonda & Perry 2003) or 'sleeping' phases (Hadjikhani 1996). Inactivity in a relationship (Polonsky et al. 2010) refers to a phase, in which actors do not actively trade anything with each other (Havila & Wilkinson 2002). In the literature, a change in the relationship status is explained by critical events (or incidents) that relate to those events that significantly influence relationship development (Halinen, Salmi & Havila 1999). In public procurement, the obligation to regularly invite suppliers to tender tend to create changes in existing relationships or contract specifications or both, and thus create changes

in a relationship status. Although some scholars do recognize the importance of inactive and latent ties, others might mistakenly restrict relationships in the dormant phase as terminated (Polonsky et al. 2010), thus losing the benefits from maintaining the inactive ties. For example, compared to establishing a new relationship, a re-activated relationship may enable more efficient interactions, because some development activities can be skipped because of the existing understanding of the partner's culture and processes (Polonsky et al. 2010). Even though re-activating relationships is argued to be valuable, research on latent or inactive ties and how to re-activate them has remained under-researched (Poblete, Bengtsson & Havila 2014, e.g. Polonsky et al. 2010).

Although relationships are terminated and dissolved for many reasons, many of the inactive ties can be re-activated (Batonda & Perry 2003, Polonsky et al. 2010). Havila and Wilkinson (2002) propose that it is the relationship energy between the partners, which creates the potential basis for the re-emergence of trading. This is for the reason that relationship energy rests on bonds between the individuals involved, and thus it is something that is not automatically destroyed when the relationship is terminated. Instead, relationship energy can be transformed and transferred to other relationships because past personal ties and bonds can influence positively and negatively subsequent relationships (Havila & Wilkinson 2002). Specifically, progressive energy that exists when firms work to maintain their active or inactive relationship might guide firms toward active engagement, whereas regressive energy with adverse interaction in the past reduces the probability of reactivating the relationship. Perceived relationship value can further explain the reactivation as that refers to a firm's perceptions on how valuable their partner is for them (Polonsky et al. 2010). In public procurement, however, the procurement professionals have to be aware of the need for transparency and the way they interact with suppliers (Hunsaker 2009). Therefore, procurement personnel are often discouraged from building personal relationships with suppliers (Wang & Bunn 2004).

In public procurement, regularly organized tenderings create requirements for activating new and re-activating active or inactive relationships with private suppliers. However, interaction that forms the basis for a relationship development (e.g. Håkansson & Snehota 1995) is prohibited during the tender phase and instead early interaction, which refers to the pre-tender interaction prior to the bidding, is permitted and recommended (Torvatn & de Boer 2017). Regardless of this, the pre-tender phase (McKevitt & Davis 2013) and how early interaction influences relationships between public and private actors have attracted relatively little attention despite of its importance on public procurement. Early interaction is noted to assist in determining contract specifications (Holma et al. 2020) and reaching of a shared understanding and creating mutual trust (Koppenjan, 2005).

METHODOLOGY AND CASE DESCRIPTIONS

This study qualitatively examines the influence of early interaction on buyer-supplier relationships in public procurement. Specifically, a qualitative case study design is applied to make a holistic and detailed investigation of events in their own natural environment (Denzin & Lincoln 2011, Stake 1995). Furthermore, an exploratory approach is found justified, as the central tenant of the empirical investigation is on early buyer-supplier interaction in the procurement process, which has remained an under-researched area (Igarashi 2018).

The empirical data was gathered through interviews, observations and written documents and articles. This data permitted the examination of early buyer-supplier interaction and its impact on relationships in depth on both a real-time and retrospective basis. Table 1 summarizes the data gathering methods.

Table 1: Data collection methods.

Procurement	Method	Object	Time
Catering services	5 thematic interviews (9 hours), 4 workshops (10 hours), Skype meetings, e-mails	Personnel in Town A, during the pre-tender and the active relationship phase	Jun 2014–Nov 2017
	11 semi-structured interviews (12 hours)	Suppliers 1 and 2	Sep 2015–Nov 2017
	Observations (13 occasions, 18 hours)	Market dialogue interactions in Town A	Sep 2014–Nov 2015
	Written documents	Initial and final RFQs, including appendixes (draft contract, service definition, service processes, assessment of quality)	Aug 2014–Jan 2016
	6 newspaper articles	Relationships between Town A and Suppliers 1 and 2	Oct 2019–Mar 2020
Home nursing services	11 thematic interviews (11 hours)	Personnel in Town B and Supplier 4, during the pre-tender phase and the active relationship	Sep 2014–Jan 2015
	Written document	Market dialog interactions in Town B	Feb 2012
	10 newspaper articles	Relationships between Town B and Suppliers 3 and 4	Mar 2013–Nov 2013

In the data analysis, a systematic combining (Dubois & Gadde 2002) was applied to permit the theory to interact with empirical findings and thus to build the context and the boundaries of the research phenomenon of interest. The units of analysis are four relationships (R1-R4) between two Finnish towns (town A and B) and their four suppliers (S1–S4). The empirical context, in which the relationships are investigated is the procurements of catering services in Town A (R1 and R2) and home nursing services in Town B (R3 and R4).

Catering services procurement. Town A started in 2014 an extensive outsourcing process of its catering services, which had been provided earlier internally by a limited company owned by the town. The motivation behind the outsourcing decision was the intention to organize the municipal catering services in a more profitable and cost-effective way without sacrificing quality. The town chose to divide the tendering into four lots. Each lot would amount to 25% of the total volume of the catering services of which the town was responsible for. This study has been limited to the first two lots: catering services for special groups (hereafter: Special Catering) and hospital catering (hereafter: Hospital Catering). Special groups include senior citizens, disabled persons and persons

with substance abuse. Hospital Catering consists of patients, personnel and visitors of municipal hospitals. In both catering services, the customer is the town's welfare unit.

The town's Procurement Unit (PU) was authorized to arrange the tendering. PU used an open procurement procedure to conduct the tendering and it organized pre-tender phase activities, in which Suppliers 1 and 2 took part. These activities included general information sessions, face-to-face technical dialogues with one supplier at a time, and cycles of written communication, in which the clarity and validity of the Request of Quotation (RFQ) was ensured. The motivation to organize these activities was twofold: to utilize the suppliers' expertise to develop the services, and to build relationships with the suppliers, also relationships for the future with those who would not be awarded by the contract. The Special Catering pre-tender and tender phases were organized in September–December 2014, and Hospital Catering in October 2015–August 2016.

Home nursing services procurement. Town B started in 2012 an outsourcing process of 10% of its home nursing services, which had been provided earlier internally by the town's own home nursing unit. This partial outsourcing included health services that aim at retaining 300 inhabitant's ability to function at home in two specific districts. The home nursing procurement was a part of the innovative public procurement project, in which the town's personnel participated in 2011. In this project, the public buyer was taught to apply collaborative procurement practices and result-oriented purchasing criteria, instead of defining the input required in procurement implementation. The motivation for home nursing procurement was to increase the effectiveness of service delivery and benchmark the practices of private markets.

In the town B, PU arranged the tendering and pre-tender phase activities. PU used an open procurement procedure to conduct the tendering, but before that they had a general information session, for which potential suppliers were invited in. In this group meeting, the procurement unit introduced their plans related to the home nursing procurement: its goals, assessment criteria and incentives. Then the PU held a technical dialog to provide suppliers an opportunity to ask and give remarks to their RFQ. The aim was to exploit the expertise of suppliers in forming a rigorous RFQ with an effective incentive system. Furthermore, the PU tried to make sure that there would not be misunderstandings in the RFQ. The home nursing pre-tender and tender phases were organized in February 2012–June 2012.

ANALYSIS OF THE FOUR RELATIONSHIPS

Relationship 1: Town A–Supplier 1. Town A's cooperation with the Supplier 1 started when the town established a central catering service unit in 2008, which was responsible for the school, kindergarten, staff restaurant, and hospital and care-home catering services. In 2011, these services were corporatized, and a new corporation started to function in the beginning of the year 2012 as a part of a group of companies, including janitorial services and cleaning services. The cooperation between Service Manager, who was responsible for the pre-tender activities, and Sales Director of Supplier 1, participating in these activities started already during the time of the central catering service unit. They both described the relationship as fruitful. However, the buyer was uncertain if the catering services that Supplier 1 provided were up-to-date.

After the outsourcing decision, Supplier 1 took part in the pre-tender and tender phases as a limited company owned by the Town. During the pre-tender phase, the buyer followed strictly the equality principles, and treated Supplier 1 in the same way as the other potential suppliers. Supplier 1 perceived the pre-tender phase interaction as abnormal, because the buyer acted as if there was no prior relationship. However, the relationship was re-activated: the Special Catering tendering

resulted in the selection of the Supplier 1 as a single provider. The hospital catering was divided between Supplier 1 and Supplier 2.

Despite the extensive pre-tender phase interaction, when the time to implement the catering services was at hand, the parties had different understanding of the terms of the contract and the required changes in the service processes. According to Supplier 1, due to their long relationship history, the buyer took it for granted that there was no need for profound discussions, despite the extensive changes in the service processes. As for the buyer, they claimed that Supplier 1 had not paid enough attention to these changes. The buyer even had some doubts about re-activating the relationship, because of these difficulties. A further challenge was the numerous changes in the Town's personnel during the pre-tender and reactivation phases. A year after re-activating the relationship, the Town came into conflict with Supplier 1 about the interpretation of the Special Catering contract terms. The issue was a raise in prices: according to the Town, the price was fixed for the first year, whereas the Supplier 1 suggested an earlier increase. The following tendering in 2019 resulted in Supplier 1 losing the contract to Supplier 2.

Relationship 2: Town A–Supplier 2. Supplier 2 is an international catering provider, which had no prior relationship with Town A. Thus, the first contact Supplier 2 had with the Town A was during the pre-tender phase. Supplier 2 appreciated the possibility to discuss with the buyer before the tending. However, none of the three Supplier 2 interviewees perceived the pre-tender phase interaction successful. Instead, they perceived the atmosphere reserved and information exchange superficial, which did not enhance mutual understanding: *“If the other part does not speak, so why should I... It (technical dialogue) is supposed to be a dialogue, but it is not”* (Key Account Manager, Supplier 2). The buyer, however, was pleased with the information exchanged.

The beginning of the active relationship was challenging with the Supplier 2, too, due to the numerous discrepancies and faults in the contract. Supplier 2 regarded the changes in the Town's personnel to be the main reason behind these difficulties: during the first six months of the active relationship, the Town introduced four different contact persons, from which none of them had been present in the pre-tender phase activities. Regardless of this, the Supplier 2 saw benefits in the unsuccessful pre-tender phase communication, because it resulted in extensive interaction during the relationship activation phase. The buyer, too, regarded activating the relationship with Supplier 2 problematic. The Service Manager had second thoughts about selecting Supplier 2, stating that it would have been easier to continue with the incumbent supplier. However, after the first six months, both the Town A and the Supplier 2 were pleased with their cooperation. As a result of the succeeding catering services tendering in 2019, Supplier 2 was awarded both the Hospital Catering and the Special Catering contracts.

Relationship 3: Town B–Supplier 3. Supplier 3 that had no prior relationship with the Town B in the area of home nursing services was initially rewarded by the contract. However, Supplier 3 had cooperation with Town B in the area of nursing home services. The feelings of buyer from pre-tender phase interaction were positive: *“I have this experience that those events were good. We have received lots of good feedback from firms -- because we have taken this road to become an open procurement unit”* (Manager of PU, Town B). Regardless of this, problems related to ineligible bids emerged in the bidding two times; first, the way of how pricing was determined in RFQ permitted playing of suppliers and the buyer had to interrupt their bidding process and make necessary changes to RFQ. Thereafter, although the buyer hesitated it, the contract was awarded for Supplier 3, who had challenges to answer to the new type of RFQ, for which it gave an under-priced bid.

Although Town B and Supplier 3 had strong cooperation to transfer the town’s own home nursing to the private actor, the active phase of the relationship with Supplier 3 was problematic. According to the Town B, the problems in the relationship between them and Supplier 3 emerged from the under-priced bid, which manifested itself as the inability of Supplier 3 to deliver high-quality home nursing services with the given price. In practice, the procurement unit started to receive a number of reclamations from home nursing customers, which they tried to resolve with Supplier 3 in intensive negotiations: *“We immediately started to negotiate that what is it that is not working”* (Manager of PU, Town B). Nevertheless, after the first six months, the partners were no near of reaching a mutual understanding of the terms of the cooperation and therefore Town B had to threaten Supplier 3 to put things in order or otherwise the contract is dissolved. Regardless of this, eight months later the relationship of Town B and Supplier 3 was ended, and the contract was sold to Supplier 4. This breach of contract had influences in following tenderings as Supplier 3 was excluded from them due to the trust issues.

Relationship 4: Town B–Supplier 4. Supplier 4 participated in the home nursing bidding of Town B, and they described interaction in public biddings as important but passive because *“those group events that include many service providers, they are just for unidirectional informing -- they do not generate discussions”* (CEO, Supplier 4). Initially, Supplier 4 was not awarded by the contract; instead, they took charge of delivering home nursing services in town B at the end of the year 2013 because of the problems with Supplier 3. Supplier 4 had no prior relationship with the procurement unit in the area of home nursing services, but their long relationship history in other areas was the primary reason why they agreed to purchase the contract from Supplier 3.

The reactivation of the relationship between Town B and Supplier 4 was strongly influenced by the problems in the relationship of Town B and Supplier 3. In the beginning of activation phase, there was an intensive period of interaction, which was experienced important to find new ways and structures to make those home nursing services that were provided by the private supplier to work. The parties created quite heavy interaction and cooperation structures into the operational level to monitor and assess the service quality of Supplier 4 in the procurement implementation: *“We have created own monthly system to meetings -- to monitor the realization of nursing plans of individual customers and service quality”* (Manager of Home Nursing, Town B). Furthermore, the problems with Supplier 3 created the need for strategic level interaction, in which the question of *“how home nursing can be developed is discussed. -- We try to create win-win situation that with the same information they (Supplier 4) can develop their business and we can develop the town’s service production”* (Manager of PU, Town B).

CONCLUSIONS

This study found that early interaction influences the development of buyer-supplier relationships in public procurement by either hindering or promoting their activation or reactivation. However, intensive interaction in the beginning of the relationship activation/reactivation phase with the *selected supplier* was regarded as more important than interaction in the pre-tender phase, during which the supplier was merely a *potential supplier*. In the pre-tender phase, the interaction is more competition oriented, because of the awareness of the presence of the other suppliers. Whereas, in the activation/reactivation phase cooperative interaction benefits both the buyer and the supplier, but not the other suppliers. Table 2 concludes our findings.

Table 2: Summary of the relationships.

	Relationship history	How does early interaction influence relationships?
R1: Town A– Supplier 1	Long-term relationship as internal service provider, positive relationship	Problems in re-activating the relationship and in the active relationship phase. Gaps in pre-tender phase interaction made the relationship worse. Reason for communication gaps and problems in reactivation was the changes in the buyer’s contact personnel.
R2: Town A– Supplier 2	No prior relationship	Problems in activating the relationship due to the changes in the buyer’s contact personnel. Gaps in pre-tender phase interaction promoted relationship development due to the extensive interaction in the activation phase.
R3: Town B– Supplier 3	Collaboration in the past in other areas	Problems in re-activating the relationship and in the active relationship phase. Gaps in pre-tender phase interaction hindered relationship development. Reasons for problems in reactivation was gaps in early interaction that manifested itself as under-priced bid and as misunderstanding related to the terms of the cooperation.
R4: Town B– Supplier 4	Collaboration in the past in other areas	No problems in re-activating the relationship and in the active relationship phase. Gaps in early interaction with Supplier 3 promoted relationship development with Supplier 4 by creating the urge to define new structures and terms for collaboration.

In summary, early interaction in the context of public procurement remains problematic from the relationship development perspective. The pre-tender phase is too competitive and short, and the

interaction tends to be too superficial in order the actors to create a trusting atmosphere, which would allow deep enough interaction that would be a fruitful start for a relationship.

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